

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q93742

Kei YAMANA, et al.

Appln. No.: 10/575,626

Group Art Unit: Not yet determined

Confirmation No.: Not yet determined

Examiner: Not yet determined

Filed: April 13, 2006

For: NOVEL PROTEIN AND PRODUCTION PROCESS AND USE THEREOF

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER
35 U.S.C. § 371 IN THE UNITED STATES DESIGNATED/ELECTED
OFFICE (DO/EO/US)**

MAIL STOP MISSING PARTS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In response to the "Notification of Missing Requirements under 35 U.S.C. § 371 in the United States Designated/Elected Office (DO/EO/US)," for the above application, Applicant submits herewith a copy of the executed Declaration and the English language translation of the PCT application.

When preparing the English language translation of the PCT application, Applicant found and corrected the following obvious clerical errors:

- Page 34, line 5 from the bottom of the page, (in paragraph No. 79), "Non-patent document 5:..." changed to "Non-patent document 4:...";

- Page 58, line 2, (in paragraph No. 0121) and page 60, line 4, (in paragraph No. 0124), "²(Ct ? GAPDH-Ct of ChMIL)" changed to "²(Ct of GAPDH-Ct of ChMIL)";

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

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Atty. Docket No.: Q93742

- Page 63, line 12, (in paragraph No. 130), "25?g/mL" changed to "25µg/mL"; and
- Page 63, line 14, (in paragraph No. 130), "10?gM" changed to "10µM".

Copies of the Japanese language pages showing the hand revised changes are also submitted herewith.

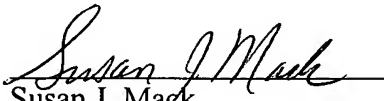
Also submitted herewith is a sequence listing in paper copy (14 pages) and CRF and a Statement under 37 C.F.R. § 1.821 - 1.825.

The Sequence Listing was filed with the original PCT application as evidenced by the attached printout for WO/2005/037864 from the WIPO website.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880.

Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,


Susan J. Mack
Registration No. 30,951

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: January 19, 2007



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1459
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/575,626	KEL YAMANA	Q93742

23373
 SUGHRUE MION, PLLC
 2100 PENNSYLVANIA AVENUE, N.W.
 SUITE 800
 WASHINGTON, DC 20037

DOCKETEL

NOV 29 2006

INTERNATIONAL APPLICATION NO.	
PCT/JP04/15620	
I.A. FILING DATE	PRIORITY DATE
10/21/2004	10/21/2003

CONFIRMATION NO. 3647

371 FORMALITIES LETTER



OC000000021386097

Date Mailed: 11/28/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/13/2006
- Copy of the International Search Report filed on 04/13/2006
- Information Disclosure Statements filed on 04/13/2006
- Request for Immediate Examination filed on 04/13/2006
- U.S. Basic National Fees filed on 04/13/2006
- Priority Documents filed on 04/13/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. Note a processing fee will be required if submitted later than 30 months from the priority date.
- Processing fee of \$130 for providing the translation of the application and/or the Annexes later than 30 months from the priority date (37 CFR 1.492(i)).
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$-40** for a Large Entity:

- **\$130** Surcharge.
- **\$130** for English translation surcharge required.

(A previous payment of **\$300** will be applied to the additional fees indicated above.)

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

01/23/2007 ATRAN1 00000054 194880 10575626
 01 FC:1618 130.00 DA

ANITA D JOHNSON

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PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/575,626	PCT/JP04/15620	Q93742

PATENT APPLICATION
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**SUBMISSION OF ENGLISH TRANSLATION OF INTERNATIONAL PRELIMINARY
REPORT (IPR) AND INTERNATIONAL SEARCHING AUTHORITY (ISA)**

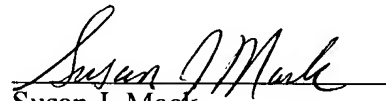
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

For the Examiner's convenience, enclosed herewith is a copy of the English translation of the International Preliminary Report (IPR) and the English translation of the Written Opinion of the International Searching Authority (ISA). It is noted that the eight (8) references identified in the IPR were previously submitted to the U.S. PTO with an Information Disclosure Statement on April 13, 2006, and are therefore not enclosed herewith.

Respectfully submitted,

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Susan J. Magk
Registration No. 30,951

WASHINGTON OFFICE

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Date: January 19, 2007

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Search result: 1 of 1

(WO/2005/037864) NOVEL PROTEIN AND PRODUCTION PROCESS AND USE THEREC

[Biblio. Data](#) [Description](#) [Claims](#) [National Phase](#) [Notices](#) [Documents](#)Documents in the file of the International Bureau ([more information](#))

Type	Date ▼	Title	Size	View the document
ETIP1	27.07.2006	<u>English Translation of International Preliminary Report on Patentability Chapter I</u>	7 pages	PDF ZIP
ETWOS	25.07.2006	<u>English Translation of the Written Opinion of the International Search Authority</u>	6 pages	PDF ZIP
IPRP1	24.04.2006	<u>International Preliminary Report on Patentability Chapter I</u>	6 pages	PDF ZIP
WOSA	21.04.2006	<u>Written Opinion of the International Search Authority</u>	5 pages	PDF ZIP
TAB	28.04.2005	Seq List Tables		ZIP
Pr. Doc.	28.04.2005	<u>JP 2004-143421</u> 13.05.2004	57 pages	PDF ZIP
Pr. Doc.	28.04.2005	<u>JP 2003-380617</u> 21.10.2003	47 pages	PDF ZIP
Publication	28.04.2005	<u>Initial Publication with ISR (A1 17/2005)</u>	76 pages	HTML XML PDF ZIP

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